

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NORMA E. LOPEZ,

)

4:08CV3091

)

Petitioner,

)

)

v.

)

**MEMORANDUM
AND ORDER**

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ROBERT HOUSTON, and STATE
OF NEBRASKA,

)

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)

Respondents.

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This matter is before the court on Respondents' Motion to Strike Reply Brief (filing no. [22](#)) and Petitioner's Motion to Expand the Record and Overrule Respondents Motion to Strike (filing no. [24](#)). As set forth in the court's November 25, 2008 Memorandum and Order, the court has already considered Petitioner's Reply Brief (filing no. [20](#)) in reaching its decision on Respondents' Motion for Summary Judgment. (Filing No. [23](#) at CM/ECF p. 2.) In light of this, Respondents' Motion to Strike Reply Brief is denied and Petitioner's Motion to Expand the Record is granted. Petitioner's Reply Brief is deemed properly filed and the parties shall file briefs in accordance with the court's previous Memorandum and Order.

IT IS THEREFORE ORDERED that: Respondents' Motion to Strike Reply Brief (filing no. [22](#)) is denied. Petitioner's Motion to Expand the Record and Overrule Respondents Motion to Strike (filing no. [24](#)) is granted. Petitioner's Reply Brief is deemed properly filed.

December 17, 2008.

BY THE COURT:

s/ Joseph F. Bataillon

Chief United States District Judge